

FILED 07 APR 11 10:11 USDC-ORP

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

FREDDIE J. GRIMES,

06-CV-619-AS

Plaintiff,

ORDER

v.

O.D.O.C. AGENCY; GUY HALL,
Superintendent Custodian;
TRUST ACCOUNTING UNIT WAGNER;
JOE CAPPS, Hearings Officer Adjudicator; and COUNSELOR CAPPELLO
STEVEN,

Defendants.

FREDDIE J. GRIMES,
SID #8371094
Snake River Correctional Facility
777 Stanton Blvd.
Ontario, OR 97914

Plaintiff, *Pro Se*

HARDY MYERS

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Attorneys for Defendants

BROWN, Judge.

Magistrate Judge Donald C. Ashmanskas issued Findings and Recommendation (#88) on January 25, 2007, in which he recommended the Court grant Defendants' Motion for Summary Judgment (#59) and dismiss this action. Plaintiff filed timely objections to the Findings and Recommendation. The matter is now before this Court pursuant to 28 U.S.C. § 636(b)(1) and Fed. R. Civ. P. 72(b).

When any party objects to any portion of the Magistrate Judge's Findings and Recommendation, the district court must make a *de novo* determination of that portion of the Magistrate Judge's report. 28 U.S.C. § 636(b)(1). See also *United States v. Bernhardt*, 840 F.2d 1441, 1444 (9th Cir. 1988); *McDonnell Douglas Corp. v. Commodore Bus. Mach., Inc.*, 656 F.2d 1309, 1313 (9th Cir. 1981), *cert. denied*, 455 U.S. 920 (1982).

This Court has carefully considered the objections of Plaintiff and concludes Plaintiff's objections do not provide a basis to modify the Findings and Recommendation. This Court also

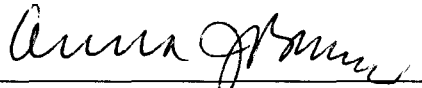
has reviewed the pertinent portions of the record *de novo* and does not find any error in the Magistrate Judge's Findings and Recommendation.

CONCLUSION

The Court **ADOPTS** Magistrate Judge Ashmanskas's Findings and Recommendation (#88) and, accordingly, **GRANTS** Defendants' Motion for Summary Judgment (#59) and **DISMISSES** this action.

IT IS SO ORDERED.

DATED this 10th day of April, 2007.

A handwritten signature in dark ink, appearing to read "Anna J. Brown", is written over a horizontal line.

ANNA J. BROWN
United States District Judge